

IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE DISTRICT OF SOUTH CAROLINA
COLUMBIA DIVISION

UNITED STATES OF AMERICA)	Criminal No: 3:10-cr-112-JFA
)	
V.)	
)	
PATRICK PARKS)	
)	

RESPONSE IN SUPPORT OF MOTION FOR REDUCED SENTENCE

Parks was sentenced after the passage of the Fair Sentencing Act of 2010 (“FSA”), Pub. L. No. 111-220, 124 Stat. 2372, on August 3, 2010. Based on then-existing caselaw, the FSA was not applied at sentencing. On June 21, 2012, the Supreme Court ruled that the Fair Sentencing Act’s revisions to the quantity thresholds set forth at 21 U.S.C. § 841(b) as they relate to the establishment of statutory minimum and enhanced maximum penalties in crack cases apply to any case sentenced after August 2, 2010, regardless of when the offense conduct occurred. Dorsey v. United States, ___ S. Ct. ___, 2012 WL 2344463 (June 21, 2012). In light of Dorsey, the United States now concedes that Parks should have been sentenced pursuant to the FSA because he was sentenced after the effective date of the FSA.

Respectfully submitted,

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January 14, 2013

CERTIFICATE OF SERVICE

I hereby certify that I have this date caused one true and correct copy of the within document to be served on the defendant(s) in the above-captioned case, via the court's e-noticing system, but if that means failed, then by regular mail, on all parties of record.

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